

1 **Marquis Aurbach**
2 Craig R. Anderson, Esq.
3 Nevada Bar No. 6882
4 Jackie V. Nichols, Esq.
5 Nevada Bar No. 14246
6 10001 Park Run Drive
7 Las Vegas, Nevada 89145
8 Telephone: (702) 382-0711
9 Facsimile: (702) 382-5816
10 canderson@maclaw.com
11 jnichols@maclaw.com
12 Attorneys for Defendants Las Vegas Metropolitan Police
13 Department, Officer S. Salazar and Joe Lombardo

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

10 || KELLY PATTERSON, individually,

Plaintiff,

12 | vs.

13 LAS VEGAS METROPOLITAN POLICE
14 DEPARTMENT, a political subdivision of
the State of Nevada; CITY OF LAS VEGAS,
15 a municipal governmental entity and a
political subdivision of the State of Nevada;
OFFICER S. SALAZAR, an individual; JOE
16 LOMBARDO, an individual and DOE
OFFICERS I-XX.

Defendants

Case Number:
2:23-cv-00539-RFB-DJA

**STIPULATION AND ORDER TO
CONTINUE HEARING AND EXTEND
LVMPD DEFENDANTS' RESPONSE
TO PLAINTIFF'S MOTION FOR
LEAVE OF COURT TO CONDUCT
ADDITIONAL DEPOSITIONS**

(FIRST REQUEST)

19 Plaintiff Kelly Patterson (“Plaintiff”), by and through his counsel of record, Stephen
20 P. Stubbs, Esq., Defendants, the Las Vegas Metropolitan Police Department (the
21 “Department” or “LVMPD”), Officer S. Salazar (“Salazar”), and Joseph Lombardo
22 (“Lombardo”), collectively (“LVMPD Defendants”), by and through their counsel of record,
23 Craig R. Anderson, Esq. and Jackie V. Nichols, Esq., of Marquis Aurbach, and Defendant
24 City of Las Vegas (the “City”), by and through their counsel of record, Jeffry M. Dorocak,
25 Esq. and Rebecca L. Wolfson, Esq., of City Attorney’s Office, hereby agree and jointly
26 stipulate the following.

Accordingly, the parties hereby stipulate and agree as follows:

28

1 1. Defendant City of Las Vegas' filed a Motion for a Protective Order on
2 December 11, 2023 [ECF No. 67].

3 2. Plaintiff filed an Opposition to Defendant City of Las Vegas' Motion for a
4 Protective Order on December 26, 2023 [ECF No. 69].

5 3. Defendant City of Las Vegas' filed its Reply to Plaintiff's Opposition to
6 Motion for a Protective Order on January 19, 2024 [ECF No. 73].

7 4. The Court scheduled the hearing on Defendant City of Las Vegas' Motion for
8 a Protective Order [ECF No. 67] on February 26, 2024 at 10:00 A.M.

9 5. Thereafter, Plaintiff filed a Motion for Leave to Conduct Additional
10 Depositions [ECF No. 76] on February 9, 2024.

11 6. The Court scheduled the hearing on Plaintiff's Motion for Leave to Conduct
12 Additional Depositions [ECF No. 77] on April 1, 2024 at 10:00 A.M.

13 7. Because the 30(b)(6) deposition for Defendant City of Las Vegas is Plaintiff's
14 eleventh deposition, it is more expeditious for the gearings for both motions to be heard on
15 the same day, and having both hearings on April 1, 2024 will not delay the 30(b)(6) deposition.

16 8. LVMPD Defendants' counsel has a conflict with a firm trial date of February
17 20 to March 8, 2024 in the case of *James M. Herndon v. City of Henderson, et al.*, Eighth
18 Judicial District Court, Clark County, Nevada Case No. A-21-842739-C.

19 9. The above-mentioned hearing would affect LVMPD Defendants' ability to
20 have a representative at the hearing in the current case.

21 10. Plaintiff and Defendants agree that the hearing, currently set for February 26,
22 2024 at 10:00 A.M., shall be extended to April 1, 2024 at 10:00 A.M. with Plaintiff's Motion
23 for Leave of Court to Conduct Additional Depositions [ECF No. 76].

24 11. The Parties further agree, that both the City and LVMPD Defendants'
25 Response to Plaintiff's Motion for Leave of Court to Conduct Additional Depositions [ECF
26 No. 76] deadline currently set for February 23, 2024 shall be extended to Friday, March 15,
27 2024.

12. WHEREFORE, the parties respectfully request that both LVMPD Defendants' and the City's Response to Plaintiff's Motion for Leave of Court to Conduct Additional Depositions [ECF No. 76] be extended to and including Friday, March 15, 2024.

13. The instant stipulation is being made in good faith and not for purposes of delay and that no party waives any arguments by entering into this stipulation.

IT IS SO STIPULATED.

Dated this 20th day of February, 2024.

Dated this 20th day of February, 2024.

MARQUIS AURBACH

By: /s/ Stephen P. Stubbs
Stephen P. Stubbs, Esq.
Nevada Bar No. 10449
411 Winter Dove Avenue
Henderson, Nevada 89011
Attorney for Plaintiff Kelly Patterson

By: /s/ Jackie V. Nichols
Craig R. Anderson, Esq.
Nevada Bar No. 6882
Jackie V. Nichols, Esq.
Nevada Bar No. 14246
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorneys for Defendants Las Vegas
Metropolitan Police Department,
Officer S. Salazar and Joe Lombardo

Dated this 20th day of February, 2024

CITY ATTORNEY'S OFFICE

By: /s/ Rebecca L. Wolfson
Jeffry M. Dorocak, Esq.
City Attorney
Nevada Bar No. 13109
Rebecca L. Wolfson, Esq.
Deputy City Attorney
Nevada Bar No. 14132
495 South Main Street, Sixth Floor
Las Vegas, Nevada 89101
Attorneys for Defendant City of Las
Vegas

ORDER

IT IS SO ORDERED. The hearing on Defendant City of Las Vegas' Motion for a Protective Order (ECF No. 67) is VACATED and RESET for April 1, 2024 at 10:00 a.m. **IT IS FURTHER ORDERED** that the deadline to file a response to Plaintiff's Motion for Leave of Court to Conduct Additional Depositions (ECF No. 76) is March 15, 2024.

DATED: 2/21/2024



CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **STIPULATION AND ORDER TO CONTINUE HEARING AND EXTEND LVMPD DEFENDANTS' RESPONSE TO PLAINTIFF'S MOTION FOR LEAVE OF COURT TO CONDUCT ADDITIONAL DEPOSITIONS (FIRST REQUEST)** with the Clerk of the Court for the United States District Court by using the court's CM/ECF system on the 20th day of February, 2024.

I further certify that all participants in the case are registered CM/ECF users
and that service will be accomplished by the CM/ECF system.

10 I further certify that some of the participants in the case are not registered
11 CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid,
12 or have dispatched it to a third party commercial carrier for delivery within 3 calendar days to
13 the following non-CM/ECF participants:

N/A

/s/ Krista Busch
An employee of Marquis Aubach